

EXHIBIT 1

INTRODUCTION

Respondent William A. Robinson is a retiree residing in Los Angeles County. In 2003, during the second semi-annual campaign reporting period of July 1, 2003 through December 31, 2003, Respondent made \$221,000 in political contributions, and thereby qualified as a “major donor committee” under the Political Reform Act (the “Act”).¹ As such, Respondent was required to comply with specified campaign reporting provisions of the Act.

As a major donor committee, Respondent was required by the Act to file late contribution reports disclosing his late contributions within 24 hours of making them. In addition, as Respondent’s contribution activity exceeded \$50,000 for the calendar year, Respondent was also obligated to file all required campaign statements online or electronically with the Secretary of State after the \$50,000 threshold amount was met.

In this case, Respondent made a late contribution prior to the October 7, 2003 statewide special recall election, which he failed to timely disclose in a properly filed late contribution report, thereby committing a violation of the Act. Respondent also failed to timely file the late contribution report electronically, thereby committing an additional violation of the Act.

For the purposes of this stipulation, Respondent’s violations of the Act are stated as follows:

COUNT 1: Respondent William A. Robinson failed to disclose a \$100,000 late contribution to the “Arnold Schwarzenegger’s Total Recall Committee, Vote Yes to Recall Gray Davis” committee in a properly filed late contribution report, by the September 27, 2003 due date, in violation of section 84203, subdivision (a).

COUNT 2: Respondent William A. Robinson failed to disclose a \$100,000 late contribution to the “Arnold Schwarzenegger’s Total Recall Committee, Vote Yes to Recall Gray Davis” committee in an electronically filed late contribution report, by the September 27, 2003 due date, in violation of section 84605, subdivision (a).

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in section 81002, subdivision (a), is to ensure that the contributions and expenditures affecting election campaigns are fully and truthfully disclosed to the public, so that voters may be better informed, and improper practices may be

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of title 2 of the California Code of Regulations. All regulatory references are to title 2, division 6 of the California Code of Regulations, unless otherwise indicated.

inhibited. To that end, the Act sets forth a comprehensive campaign reporting system designed to accomplish this purpose of disclosure.

Section 82013, subdivision (c) includes within the definition of “committee” any person or combination of persons who directly or indirectly makes contributions totaling \$10,000 or more in a calendar year to, or at the behest of, candidates or committees. This type of committee is commonly referred to as a “major donor” committee.

Under section 84203, subdivision (a), when a committee makes or receives a late contribution, the committee must disclose the contribution in a late contribution report that must be filed within 24 hours of making or receiving the contribution. Section 82036 defines a “late contribution” as a contribution aggregating \$1,000 or more that is made or received before an election, but after the closing date of the last pre-election campaign statement. Under section 84200.8, subdivision (b), for an election not held in June or November of an even-numbered year, the late contribution period covers the last 16 days before the election.

Section 84605, subdivision (a) requires major donor committees that make contributions totaling \$50,000 or more in a calendar year to file all required campaign statements online or electronically with the Secretary of State after the \$50,000 threshold amount is met.

Section 84215, subdivision (a) requires all major donor committees supporting statewide candidates and measures to file the committee’s campaign statements with the office of the Secretary of State, the Registrar-Recorder of Los Angeles County, and with the Registrar of Voters of the City and County of San Francisco.

SUMMARY OF THE FACTS

During the second semi-annual campaign reporting period of July 1, 2003 through December 31, 2003, Respondent William A. Robinson made \$221,000 in political contributions, and thereby qualified as a major donor committee.

COUNT 1

Failure to File a Late Contribution Report

As a major donor committee, Respondent William A. Robinson had a duty to file late contribution reports, disclosing, within 24 hours, any late contributions that he made. The late contribution reporting period for the October 7, 2003 statewide special election was September 21, 2003 through October 6, 2003.

On September 26, 2003, Respondent William A. Robinson made a contribution of \$100,000 to the “Arnold Schwarzenegger’s Total Recall Committee, Vote Yes to Recall Gray Davis” committee. As the contribution was made during the late contribution reporting period prior to the October 7, 2003 statewide special election, Respondent was required to disclose the contribution in a paper late contribution report filed by September 27, 2003. Respondent failed to do so. Respondent disclosed the \$100,000 late contribution made to the “Arnold

Schwarzenegger's Total Recall Committee, Vote Yes to Recall Gray Davis" committee in a paper semi-annual campaign statement filed on November 17, 2003, almost two months late.

By failing to disclose a \$100,000 late contribution to the "Arnold Schwarzenegger's Total Recall Committee, Vote Yes to Recall Gray Davis" committee in a properly filed paper late contribution report by September 27, 2003, Respondent committed a violation of section 84203, subdivision (a).

COUNT 2

Failure to Disclose a Late Contribution Electronically

As a major donor committee that made contributions of \$50,000 or more in a calendar year, Respondent William A. Robinson had a duty to file all of his required campaign statements online or electronically with the Secretary of State after the \$50,000 threshold amount was met.

On September 26, 2003, Respondent William A. Robinson made a contribution of \$100,000 to the "Arnold Schwarzenegger's Total Recall Committee, Vote Yes to Recall Gray Davis" committee and failed to electronically file a late contribution report disclosing the \$100,000 late contribution by the September 27, 2003 due date. Respondent disclosed the \$100,000 late contribution made to the "Arnold Schwarzenegger's Total Recall Committee, Vote Yes to Recall Gray Davis" committee in a late contribution report filed electronically on November 7, 2003, one month after the election.

By failing to timely disclose a late contribution in an electronically filed late contribution report by September 27, 2003, with the Office of the Secretary of State, as set forth above, Respondent committed a violation of section 84605, subdivision (a).

CONCLUSION

This matter consists of two counts, which carry a maximum possible administrative penalty of Ten Thousand Dollars (\$10,000).

This case was removed from the Enforcement Division's Streamlined Late Contribution Enforcement Program because of the large amount of the untimely disclosed late contribution. The late contribution violations are aggravated by the large dollar amount of the late contribution. After the election, Respondent did file the late contribution report by paper and electronically on November 7, 2004, voluntarily, upon learning of the filing requirement, and well before the Enforcement Division contacted him. Respondent was a first time filer under the Political Reform Act.

The facts of this case, including the mitigating and aggravating information above, justify imposition of an administrative penalty in the amount of Ten Thousand Dollars (\$10,000).